

ROMAN CATHOLIC UNIVERSITY (IRELAND).

COPY of CORRESPONDENCE relative to the Proposed CHARTER to a ROMAN CATHOLIC UNIVERSITY in Ireland.

— No. 1. —

The Most Rev. Dr. *Lecky* and Dr. *Derry* to Lord *Mayo*.

My Lord,

Thurles, 23 October 1867.

WE take leave to transmit to your Lordship a copy of a letter addressed by us to the Earl of Derby.

We have, &c.

(signed) *Patrick Lecky*, Archbishop, &c.
John Derry, Bishop.

Enclosure in No. 1.

The Most Rev. Dr. *Lecky* and Dr. *Derry* to the Earl of *Derby*.

My Lord,

WE have been deputed by the Irish Catholic Archbishops and Bishops to enter into communication with Her Majesty's Government, and to apply in their name for a charter and endowment of the Catholic University, as well as for such ulterior concessions as shall place the Catholics of Ireland on a footing of perfect equality with their fellow-subjects of other denominations, as regards academical education.

We have further to add, that a discretionary power to treat of this whole matter with the Government has been confided to us, without any limit or restriction, save the occurrence of what we might deem a difficulty of great moment.

In fulfilment of the duty entrusted to us, we beg, in the name of the Irish Catholic Archbishops and Bishops, to bring this grave question under your Lordship's notice and that of your Government, and respectfully to request that you will be pleased to inform us, at the fitting time, what are or may be the intentions of Her Majesty's Government, that we may communicate them to our brother prelates.

We have, &c.

(signed) *Patrick Lecky*, Archbishop, &c.
John Derry, Bishop.

— No. 2. —

Lord *Mayo* to the Most Rev. Dr. *Lecky*.

Chief Secretary's Office, Dublin Castle,
26 October 1867.

Most Rev. Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 23rd instant, enclosing a copy of a letter which you have addressed to the Earl of Derby on the subject of University education.

I have, &c.

(signed) *Mayo*.

— No. 3. —

Lord Mayo to the Most Rev. Dr. Leahy.

(Private.)

Irish Office, Great Queen Street,
14 March 1868.

Most Rev. Sir,

REPLYING to your letter of the 23rd of October, in which you state that you have been deputed by the Irish Roman Catholic Archbishops and Bishops to enter into communication with Her Majesty's Government in reference to the subject of University education, I beg to enclose you a copy of a confidential memorandum with respect to the proposal which I announced in the House of Commons on last Tuesday, and which we hope to carry into effect, I have now the honour to inform you that I shall be happy, on the part of the Government, to receive from you any communication in writing, or otherwise, which you may be pleased to make to me on this very important subject.

I am, &c.
(signed) *Mayo*.

— No. 4. —

The Most Rev. Dr. Leahy to Lord Mayo.

My Lord,

Thurles, 19 March 1868.

I HAVE the honour to acknowledge the receipt of your Lordship's letter of the 14th, intimating your readiness to receive, on the part of Government, any communication, in writing or otherwise, which I may have to make with reference to the Catholic University question.

I should at once have replied to your Lordship's letter, but that in any dealing or explanation with Government respecting this question, I am associated with a brother Prelate, the Right Rev. Dr. Derry, whence it was my duty to apprise him of the communication I had had the honour to receive from your Lordship.

I now beg to inform your Lordship that Dr. Derry and myself will do ourselves the honour to wait upon you on an early day next week, probably on Tuesday.

Your Lordship's letter enclosed a printed paper, setting forth the constitution of the intended Catholic University. A personal interview will afford us an opportunity for stating our opinions in reference to it. For the present I shall, therefore, advert to a few points only:—

1. There is no provision saving the authority of the Catholic prelates in matters appertaining to faith and morals; nor is the constitution so framed, as far as I can see, that under it such authority could be freely exercised.
2. As a sequel to the foregoing, there appears to be no effective provision for the appointment of professors or other officers sound in faith and morals, or for the removal of such persons as might prove to be heterodox or immoral.
3. Such definitive appointment is vested, not in the Catholic bishops, but in the senate, which is objectionable.
4. The bishops ought to possess the power of at least an absolute negative on such appointments. I am not prepared to say that would suffice.
5. In the constitution of the senate there is too much of the lay element, too little of the clerical.
6. The Chancellor named in the first instance by Government would, I presume, be his Eminence Cardinal Cullen. That would be due to his rank and position in the Catholic church. After the first instance, the Chancellor ought to be elected by the senate, not, as is proposed, by convocation, and ought to be one of the four archbishops. A spirit of party might by-and-by animate the

body

body of the graduates, and a person unfit for the high office of Chancellor might be elected were the office open to all.

7. The number of the Senate is set down at 20; yet, from its constitution, one would think it ought to be variable. The number of the Senate is made up of two elements, one invariable, the other variable; the former being 18, the latter being the heads of the affiliated colleges. Were the number to be fixed at 20, it would follow that at no time could there be in the Senate more than two heads of affiliated colleges.

8. A great objection to the proposed scheme is, the want of a suitable endowment.

I have, &c.
(signed) † Patrick Leahy, Archbishop, &c.

— No. 5. —

Lord Mayo to the Most Rev. Dr. Leahy.

Irish Office, Great Queen-street,
21 March 1868.

Most Rev. Sir,

I beg to acknowledge your letter of the 19th March, and to say that I shall be happy to see you and the Right Rev. Dr. Derry on any day next week, except Wednesday, on which you will do me the honour of calling at the Irish Office between the hours of two and three.

I am, &c.
(signed) Mayo.

— No. 6. —

The Most Rev. Dr. Leahy to Lord Mayo.

Crawley's York Hotel, 10, Albemarle-street, London,
23 March 1868.

My Lord,

DR. DERRY and myself will call upon you between the hours of 10 and 11 to-morrow at your office, or at any time and place you may name as convenient.

I have, &c.
(signed) † P. Leahy.

P. S. Your Lordship need not be at the trouble of writing. Monsignor Woodlode, who takes this note, will be so good as to bring your Lordship's answer.

— No. 7. —

[*Memo.*—On the 24th March Dr. Leahy and Dr. Derry, after a lengthened interview with Lord Malmesbury and Lord Mayo at the Irish Office, in which they stated their views, agreed to put their opinions in writing, which will be found in the following letter:—

The Most Rev. Dr. Leahy and Dr. Derry to Lord Mayo.

My Lord,

Thurles, March 31, 1868.

HAVING been deputed by the Roman Catholic Prelates of Ireland to treat with Her Majesty's Ministers concerning a charter and endowment for the Catholic University of Ireland, we had the honour of a personal interview with your Lordship and the Right Honourable the Earl of Malmesbury, in which we submitted our views respecting the plan of a Catholic University announced by your Lordship in your place in Parliament, and more fully developed in the course

course of the explanations which passed between us on the occasion of our interview.

Having been requested by your Lordship to commit to writing the views which we put forward in conversation, we now beg to submit the following statement, premising that it is not intended to be a complete draft of the plan of a Catholic University independent of foregoing explanations; but, assuming as understood those parts of the plan with reference to which no difference of opinion was expressed, it sets out the alterations which we think it desirable or necessary to have made in the project as presented to us. Whilst we state our opinions, and offer suggestions with respect to the special plan proposed by your Lordship's Government, we wish to say in passing that the plan most acceptable to the Catholic Prelates of Ireland would be a modification of the existing Catholic University.

And, first, the new University, we are decidedly of opinion, ought to be not simply a University for holding examinations and conferring degrees, but ought furthermore to be a teaching University, having its own full staff of professors, men of the highest rank in every department of letters and science, who should deliver courses of University lectures open to the students of the several colleges affiliated to the University. By delivering and publishing lectures such eminent Professors would not only maintain a high standard of excellence in the University's own academic halls, and in those of the colleges affiliated to it, but would, moreover, excite a wholesome rivalry throughout the republic of letters. Furthermore, it is avowedly in the contemplation of Government to create a university which from the outset shall be able to enter into active competition with the older universities. But without a full staff of eminent university professors, the realisation of the benevolent and enlightened views of the Government would be simply an impossibility. The senate would, as a matter of course, appoint the university professors.

Besides teaching through its own professors, the proper functions of the university would be to determine the subjects of all university examinations, matriculation, middle, and degree, to appoint university examiners, to confer degrees, to determine what colleges should be affiliated to it, &c. &c.

That the whole system of the university and its affiliated colleges may work harmoniously, it is necessary clearly to define from the outset their mutual relations. Highly approving of the principle of independence upon which the Government proposes to found the university, we conceive that the same principle of independence ought to be extended to the affiliated colleges in relation to the university. The colleges ought to be perfectly free as regards their internal concerns, the appointment of rector, professors, and other officers, the course of studies, the rules and regulations: in a word, they ought to be wholly independent of the university in everything except what might appertain to university examinations, and the conferring of degrees. Whilst none of the purposes of a university on the one hand, nor the interest of the colleges on the other, demand any further control over the colleges on the part of the university, to vest in the senate the power even of a simple veto on the appointment of the professors or other officers of the colleges would be not only unequalled for, but an undue interference with the freedom of the colleges. It would be scarcely justifiable in the supposition that the colleges would be unwounded by the State. It is only on the strength of an endowment that the State, acting through the university, could pretend to any right to inquire into, not to say to interfere in, the internal concerns or administration of the colleges.

The constitution of the university as proposed by Government is, that the senate shall consist of 20 members, a Chancellor, Vice Chancellor, four Roman Catholic Bishops, the President of Maynooth College, six laymen, five representatives of the university faculties, and the heads of colleges affiliated to the university. It will be observed that the fixed members are 18 in number, and that, if 20 be the whole number of members, there will be room only for two heads of affiliated colleges. Believing it was not meant to limit that class of members to two, we respectfully recommend that all heads of affiliated colleges be members of the senate. They would be the natural bonds of union between the university and the colleges.

In a Roman Catholic University the Chancellor should be a Bishop. Though in a Mixed University that high office might be fitly open to laymen, in a professedly Catholic University, it is not so; for the ecclesiastical dignity

of a bishop would insure for him as Chancellor deference and respect as well as inspire a degree of confidence that might not be so readily yielded to a layman or an ecclesiastic of the second order. The eligibility of Bishops alone to the office of Chancellor is attended with this further advantage—that it would be much less difficult to determine the relative pretensions of Bishops than of the far greater number of distinguished laymen scattered up and down through the country, besides that there would be less room for rivalry and for the clashing of opinions. In the Irish Roman Catholic hierarchy there is, at present one who, as Cardinal, ranks first, the Cardinal Archbishop of Dublin, and who, irrespectively of his high rank, is eminently fit to fill the office of Chancellor. It is respectfully submitted to the Government that he should be appointed the first Chancellor of the new University.

We are strongly of opinion that, after the first nomination by the Crown, the Chancellor should be elected by the Senate, not by Convocation. A vacancy in the Chancellorship might occur before a body of graduates would have grown up to furnish what must be nominally the chief element of Convocation. And, when that body would have grown large enough to be worthy of the name of Convocation, it would be inexpedient to leave to its suffrages, influenced, perhaps, by other considerations than that of the public interest, the selection of a person to fill the highest office in the University. It would be inexpedient too, for this further reason, that, the body of graduates being the dominant power in Convocation, and having to choose between bishops, any contention between them as to the relative merits of bishops, anything like a pitting of bishop against bishop, would be not only very inconvenient but unseemly in the highest degree. The more limited, the more experienced, and the graver body of the Senate is much to be preferred for a trust in every way so important. We purpose no alteration as regards the mode of appointing the Vice-Chancellor.

We ask that the election of the six laymen, who are to be members of the Senate, shall, after the first nomination by the Crown, rest with the Senate itself, and not with Convocation. The reasons already assigned for a like alteration in the plan, as regards the election of Chancellor, for the most part apply to that now proposed, and perhaps some of them with even greater force. It is natural to think that a better selection would be made by the mature unimpassioned judgment of the senate, comprising, as it would, the representatives of the university faculties, the heads of the affiliated colleges, the President of the College of Maynooth, the four bishops, the Chancellor and Vice-Chancellor, than would be made by graduates, young men swayed, perhaps, by political or personal influences, by party feeling, passion, or prejudice.

In the course of your Lordship's statement, you observed that the presence in the senate of four bishops, and of the President of Maynooth College, together with the circumstance that all the members of the senate should be Roman Catholics, afforded a sufficient guarantee for the safety of faith and morals. We duly appreciate the desire of the Government to provide an adequate guarantee for that purpose, and on behalf the Irish bishops we very willingly record their sense of the kindly disposition thus evinced. But it is our duty to state, for the information of Her Majesty's Government, that the safety of faith and morals in the university can only be secured by recognising in the bishops as members of the senate the right, which as bishops they possess, and which all Catholics must acknowledge them to possess, of pronouncing authoritatively on matters of faith and morals. That right belongs to them, and to them alone, as compared with laymen, and even ecclesiastics of the second order. According to the doctrine and discipline of the Catholic Church, it is not competent for laymen, not even for clergymen of the second order, however learned, to judge authoritatively of faith and morality. That is the exclusive province of bishops. As faith and morality may be injuriously affected either by the heterodox teaching of professors, lecturers, or other officers, or by their bad moral example, or by the introduction of bad books into the university programme, the very least power that could be claimed for the bishops on the senate, with a view to the counteraction of such evils, would be that of an absolute negative on such books, and on the first nomination of professors, &c. &c., as well as on their continuing to hold their offices after having been judged by the bishops on the senate to have grievously offended

against faith or morals. It will be observed that the power here claimed relates solely to matters intimately connected with morality and doctrine.

This will be better understood by supposing a case in which the power claimed for the Bishops would come into play—the case of a candidate for a university chair, judged by the Bishops to be of unsound faith; if they have not the power to pronounce him ineligible; if he be elected to the office against their protest, as he might be, supposing them not to have at least the power of a veto on his appointment; a professor declared to be unsound in faith would be placed in a position to teach false doctrine in a Catholic University, governed by a senate of which four Bishops would be members. It could not have been intended that the faith of Catholics—and what is said of faith may be said of morals—should be thus openly outraged; on the contrary, we are well assured that the Government, in proposing the plan of a Catholic University, desired and desires that it should be so framed as to be conformable to the doctrine and discipline of the Catholic Church, and that in its constitution Catholic students should have adequate security for their faith and morals. It is, as, already stated, an essential part of that doctrine and of that discipline that Bishops, and Bishops alone, should pronounce with authority upon matters involving faith or morality; and, therefore, however strange it might at first sight appear to recognise in the Episcopal members of the senate, a special power denied to their fellows on the senate, it is not only reasonable but necessary once, we assume that it is the purpose of Government, as we believe it is its purpose, to found a Catholic University on Catholic principles, or, at least, in conformity with them.

Should Protestants, or persons of a religious denomination other than the Roman Catholic, become students of the university, or of any of its colleges, we are not against providing in the constitution of the university that they should not be required to attend any Roman Catholic observance, or to be present at any religious lecture or teaching, to which they or their parents or guardians might object. Whilst such security is provided against any undue interference with their religious belief, it would, on the other hand, be unreasonable, as well as inconsistent with the idea of a Catholic University, to deny or to restrict the liberty of the professors to treat in a Catholic sense of history, ethics, law, or other subjects, in so far as they have a special bearing on religion or religion on them. To preclude the professors with so dealing with such subjects in a professedly Catholic University or College, would be to introduce there the principle of abstention from special religious views which characterizes mixed Universities and Colleges, and which is a necessity growing out of their constitution.

For the present, appreciating the difficulty Government might experience in carrying an endowment for the colleges affiliated to the university, we abstain from pressing for such endowment; though, so long as Trinity College possesses immense wealth, and the Queen's Colleges receive 26,000*l.* a year from the public purse, the claim of the Catholics of Ireland to a liberal endowment for the purposes of academical education is unquestionable. But on the supposition that the university shall have a full professional staff, as already recommended, it follows as a matter of course that provision should be made for the payment of their salaries, for lecture halls, and for the scientific, and other apparatus required for their teaching. And, for the better encouragement of the cultivation of letters and science, the university must needs have at its disposal a fund for the foundation of scholarships and the distribution of prizes. It is unnecessary to allude to ordinary university expenses, such as the payment of university examiners and officers the charges incident to the holding of examinations, &c. &c. Without such expenses the university could not act, or even exist.

We have, &c.

(signed) ✠ *Patrick Lecky*, Archbishop, &c.
✠ *John Derry*, Bishop.

MEMORANDUM drawn up by the Earl of Mayo.

THE Roman Catholic Bishops and Archbishops of Ireland, in a letter to Sir George Grey, dated January 14, 1866, and published in Parliamentary Paper 84, Session 1866, make the following statement:—

"We have to observe that the Roman Catholics of Ireland have long laboured under the greatest disadvantages with respect to education. In past times all their educational establishments were suppressed, and laws were enacted prohibiting them to establish schools at home, or to send their children for education to the Continent. The effects of this penal legislation still remain; and Catholics, deprived of the endowments of former times, are left without any institution supported by the State, in which they can, with safety to faith and morals, cultivate the higher studies and take out academical degrees."

They further say that Trinity College was founded by Queen Elizabeth as a bulwark of the Protestant religion,—is largely endowed; and they state in detail the particulars of that endowment.

They then refer to the Queen's Colleges established in 1847, and express in the strongest terms their disapproval of the course and system of instruction given therein.

They further state the advantages which Graduates of Trinity College and the Queen's Universities are entitled to by their degrees, and say that "all Catholics aspiring to the professions just mentioned must submit to these inconveniences, or if they wish to avoid them must enter a university founded to maintain the ascendancy of the Established Church in Ireland, or institutions condemned by their own Church. It is to be added that these unfair conditions are imposed quite irrespectively of proficiency in literature, science, or law."

"It being evident from the statements just made that the existing institutions recognized by the State do not put university education within the reach of Irish Roman Catholics on terms of which they can safely avail themselves, or on principles approved by their religion, we, their pastors, aided by their generous contributions, determined to supply this great want, and established the Catholic University of Ireland."

They then describe the position of the institution, and recommend that a charter should be granted to it, a draft of which they enclose.

Sir George Grey states in his letter of the 10th of January that, having had under their consideration the draft of the charter contained in the memorial, Her Majesty's Government regret that they are unable to grant it in the form in which it is proposed; but state further that if the Roman Catholic University is to receive a charter from the Crown, in the opinion of Her Majesty's Government it should not be entirely composed of ecclesiastics, and should contain a considerable number of laymen.

Sir George Grey further says that the Government hope that no practical difficulty will be found in a revision of the terms of the charter, with a view to meet the objections to the form in which it has been proposed, and farther expresses his willingness to suggest the form in which they think the charter might properly be granted.

In a letter of the 14th February, Sir George Grey states that he hopes in a short time to be able to comply with Archbishop Cullen's request by transmitting him a copy of the new charter for the university.

It does not appear from the correspondence that any further steps were taken in the matter.

The supplemental charter of the Queen's University was, however, subsequently granted.

This resulted in complete failure, as the injunction granted in the Rolls Court, Dublin, prohibiting the Senate from making any use of it, has been made perpetual.

Admitting, therefore, that a just claim exists for the creation of a university of a denominational character, which should offer to those whose conscientious scruples prevent them taking the advantage of the instruction offered in Trinity College or the Queen's Colleges, it is proposed to found a new university, which should, as far as circumstances would permit, stand in the same position

to Roman Catholics that Trinity College does to Protestants; that is to say, that the governing body should consist of, and the teaching should be conducted mainly by, Roman Catholics, but that full security should be taken that no religious influence should be brought to bear on students who belonged to another faith.

It is not intended to reproduce exactly a counterpart of Trinity College, but it is considered to be indispensable that a lay element of much power and influence should be introduced into the governing body of the new university.

It is most desirable that the character and composition of this body should be settled at the outset, so that the institution should be based on clear and intelligible principles.

The success of a university depends very much on its independence, its self-reliance, its autonomy. Direct Government control over the conduct of a great educational institution would not in this country be successful.

If, therefore, a Roman Catholic university is founded, it should be constituted in such a manner as, while it would be almost independent of State control, it would be subject to the constant influence of public opinion, and governed by a body who, acting in the light of day, would be likely to frame its rules and conduct its teaching so that the new university would enter at once into active competition, on equal terms, with the older universities of the world.

The proposal now made is as follows:—

That a charter for a Roman Catholic university should be granted to the following persons, to be named in the charter:—A chancellor, a vice-chancellor, four prelates, the President of Maynooth, six laymen—the heads of the colleges proposed to be first affiliated,—and five members, to be elected one by each of the five faculties in the affiliated college or colleges. The respective faculties in the colleges voting separately as regards the faculty, but the members of the same faculty in the several colleges voting together.

This would be the constitution of the first senate.

The future senate should be formed as follows:—

A chancellor to be elected by convocation. A vice-chancellor to be appointed by the chancellor. Four prelates to be nominated by the Roman Catholic Hierarchy, the President of Maynooth. Six laymen to be elected by convocation—the heads of the affiliated colleges. Five members elected by the faculties, as before-mentioned. The senate would be twenty in number, all being members of the Roman Catholic Church. Convocation to consist of the chancellor, senate, professors, and graduate.

To the university thus constituted should be given the power of granting degrees, of holding university examinations, of determining what colleges should be affiliated to itself, the course of study to be pursued, and the subjects of examination in the middle and degree examinations; but leaving to the colleges the appointment of their rectors, professors, &c., subject only to the approval of the senate. With regard to the colleges, the utmost freedom should be given, the only condition made being, that while religious instruction might be freely imparted to Roman Catholics by the professors and fellows, no student of another faith should be required to attend any Catholic religious observance, or should be subject to teaching in any religion except his own.

Until the colleges are firmly established it may be proper to postpone the question of endowment. It is one of great difficulty, and need not form an indispensable portion of the plan.

It may, however, be necessary to ask Parliament to provide a sufficient sum for the payment of the expenses of the examinations for the foundation of a certain number of university scholarships, and the giving away of prizes; and also the payment of the salaries of certain officers and servants of the university, and perhaps some provision for a university hall and examination rooms.

Earl of Mayo to the Most Reverend Archbishop Lennox.

Most Reverend Sir, Irish Office, London, 11 May 1868.

I HAVE the honour to inform you that I have brought your letter of the 31st March under the consideration of Her Majesty's Government, who have given to its contents their most careful attention.

I regret that unavoidable delay has occurred in sending a reply, as it was impossible for the Government to consult upon the matter before the Easter recess, and my return to London only took place on the 27th ultimo.

The alterations which you suggest in the plan for the creation of a new university proposed by the Government, are very important, and may be shortly described as follows:

1. That the veto of the Senate of the university over the appointment of the professors and other officers of the affiliated colleges is uncalled for, and ought not to be maintained.

2. That the Chancellor should always be a Prelate.

3. That the first Chancellor should be Cardinal Archbishop Cullen.

4. That the Chancellor should, after the first nomination by the Crown, be elected by the Senate, and not by Convocation.

5. That the election of the six lay members of the Senate should rest with that body, and not with Convocation.

6. That the episcopal members of the Senate should have an absolute negative on the books included in the university programme; and, on the first nomination of the professors, lecturers, and other officers, and that they should also have the power of depriving them of their offices should they be judged by the bishops to have done anything contrary to faith and morals.

It appears to Her Majesty's Government that the adoption of these suggestions would materially alter the character of the proposal made by me in the House of Commons, which was to create a university having for its principal object the education of the lay members of the Roman Catholic Church, and their preparation for entrance into the various professions, civil or military. The clerical and lay elements being each adequately represented in the governing body, and the offices being filled up as far as possible by a system of free election.

With regard to the first proposal, Her Majesty's Government think it to be indispensable that the appointment of all heads or professors of the affiliated colleges should be subject to the approval of the governing body of the university.

This is considered to be necessary, in order to secure unity of action and uniformity of practice between the colleges and the university, which is to be their centre and head.

The second proposal is, that the Chancellor of the new university should be a bishop.

This, in the opinion of Her Majesty's Government, would be inconsistent with one of the fundamental principles of such an institution, namely, that the future head of the governing body should be elected by the university at large.

It would be impossible to recognise fully this principle were the choice of the electors to be limited to the members of any single profession or class.

In the nomination of the first Chancellor it was intended to name a layman of rank, influence, and position.

Her Majesty's Government are of opinion that ample provision is made for the admission to the Board of the members of the hierarchy, and they are not disposed to add to the number of the bishops already named in the proposal.

It would be impossible also to consent to the proposal, that the future Chancellor should be elected by the Senate and not by Convocation.

Her Majesty's Government believe that the high officer who is to preside over the university should derive his power and influence by free election from the whole body of the graduates, and the Government cannot think that any

arrangement would be satisfactory which would exclude any of the members of the university from taking part in the election of the individual who is to fill the highest office in the institution.

Her Majesty's Government attach great importance to the election of the six lay members of the Senate by the whole body of Convocation; and they consider that a governing body, which would have the power of filling up vacancies amongst themselves without reference to the university at large, would not command that public confidence which is so essential in the constitution of such an assembly.

The proposition that the episcopal members of the Senate should possess any power greater than that of their lay colleagues, is one that Her Majesty's Government cannot entertain.

It would establish a system of education essentially different from that which was intended, and, therefore, the Government cannot agree to give to any of the members of the Senate a power over teaching, books, discipline, or appointments which is not enjoyed equally by all.

The object of the Government was to create an institution which, although denominational in its character, would be thoroughly independent, self-governed, and free from any external influence, either political or religious.

The proposals made in your letter would strike at the very root of these principles, and I am, therefore, with extreme regret, obliged to inform you that the recommendations contained in that letter cannot be entertained.

The Most Rev. Archbishop Leamy.

I have, &c.
(signed) Mayo.

— No. 10. —

The Most Reverend Archbishop *Leamy* to the Earl of *Mayo*.

My Lord,

Ballynane House, near Cashel,
16 May 1868.

I HAVE the honour to acknowledge the receipt of your letter of the 11th instant, respecting the changes in your plan of a Catholic University, suggested by the Right Rev. Dr. Derry and myself.

To the Right Hon.
the Earl of Mayo, M. P., &c. &c.,
Irish Office, London.

I have, &c.
(signed) *Patrick Leamy*,
Archbishop, &c.

ROMAN CATHOLIC UNIVERSITY
(IRELAND)

COPY of Constitutions relative to the Pro-
posed CHARTER to a ROMAN CATHOLIC Uni-
versity in Ireland.

(Presented to Parliament by Her Majesty's Command.)

Ordered, by The House of Commons, to be Printed,
19 May 1818.

28B.

Under 2 c.

380.+. ROMAN CATHOLIC UNIVERSITY (IRELAND). -

Mem.—

It is requested that the accompanying Paper may be substituted for the corresponding one issued on the 7th instant.—In page 3, line 35, the word "or" has been corrected to "in."

9 July 1868.

ROMAN CATHOLIC UNIVERSITY (IRELAND).

RETURN to an Order of the Honourable the House of Commons,
dated 1 July 1868;—for,

COPY "of further CORRESPONDENCE relative to the Proposed CHARTER to
a ROMAN CATHOLIC UNIVERSITY in Ireland."

— No. 1. —

The Most Rev. Archbishop *Leahy* and the Right Rev. Bishop *Derry* to the
Earl of Mayo.

My Lord,

THURSDAY, 16 JUNE 1868.

It is but due to ourselves to call your attention to the explanations recently given by yourself in answer to Sir John Gray's question, and by another noble Lord in the Upper House, both referring to the broken off, if ever to be resumed, negotiations concerning a charter for a Catholic University. These negotiations, the public is now fully aware, were entered upon in consequence of the declared intentions of the present as well as the late Government to remove in part the educational disabilities under which the Catholics of Ireland labour; and they were conducted, so far as they went, by your Lordship, aided by the Earl of Malmesbury, on the part of the Government, and by us on the part of the Catholic prelates of Ireland. Not only was public attention excited, but much satisfaction was felt when it became known that Government was prepared to confer with the Catholic prelates of Ireland, through two of their number, upon the important subject in question. The negotiations went on smoothly, but very slowly, through the first stages, and then were suddenly stopped short, naturally causing something like a shock to public expectation proportioned to the suddenness of the abrupt and unlooked-for termination of the business, supposing it to be the termination. Then came the Parliamentary explanations from the Earl of Malmesbury and your Lordship, to which we now desire to call your attention.

If we may trust to the reports which have appeared in the public journals (and there seems to be no reason for doubting their correctness), the Earl of Malmesbury's explanation was a misrepresentation of the facts involved, purely accidental, we are willing to believe, nevertheless real; for, as reported, he said the negotiations ended in nothing, because the bishops rejected the plan proposed by Government; whereas, the fact was, that they ended, if they have ended, in nothing, because the Government rejected the suggestions which you had invited us to offer. And then, as regards your Lordship's explanation in answer to Sir John Gray's question, though far be it from us to impute anything like an intention to mystify or mislead, that explanation seems to leave it doubtful upon whom should rest the responsibility, whatever it be, of breaking off the negotiations, upon you or upon us. We desire to set the facts in their true light before the public, and so to correct the misinterpretation in the one case, and to remove the doubt in the other.

We do, then, assert that the negotiations were not broken off by us, or because we had rejected the plan proposed by the Government, and consequently that we have not to answer for it if they have ended in a "most lame and impotent conclusion." At our interview with your Lordship and the Earl of Malmesbury you invited us to commit our views to writing, in order that they might be submitted to the consideration of Government. You did not give us to understand, neither did we then or since give you to understand, that this statement of ours was to be regarded as our last word, in a negotiation but just opened, and upon a subject which, from its very nature as well as the divergence of views apparent at the outset, demanded a further interchange of ideas, a fuller discussion, if the whole business was to end in anything. Not a word

of ours, spoken or written, indicated that we had taken ground from which nothing could induce us to recede. We were prepared to do what parties conducting a negotiation in good faith must be prepared to do, listen to reason; and, as far as possible, make concessions as well as demands. Assuredly, there was nothing to make you think that in my right reverend brother and myself you had to do with persons who would demand everything and concede nothing: who would hold tenaciously to their own once-expressed opinions, but would pay no heed to anything you might have to say on the other side; and that therefore you might regard our statement of the 31st of March as the final and unalterable expression of our views. It was not, my Lord, intended by us to be final, nor was any such thing conveyed by us, directly or by implication. If it was final, it was your acting, in the name of the Government, who made it final. After waiting for a considerable time, we will not insinuate for the purpose of seeing how far the bare offer of a charter for a Catholic university might be made to subserve political exigencies, you, in the name of the Government, as if to cut away all ground for any further treating, rejected every one of the suggestions which you had invited us to make; and, without more ado, you had the correspondence printed and submitted to Parliament. You it was, then, my Lord, not we, who brought the negotiation to an abrupt termination, if terminated it has been.

That this business should have been terminated, if so it be, in a manner as abrupt as it was unlooked-for, and without any benefit whatever resulting to the Catholic public, such as was anticipated at the first starting of it, has naturally enough produced a deep sense of disappointment. We leave it to the public to pass its verdict upon the whole transaction, offering little or no remark ourselves beyond a statement of the facts. But, as one of the negotiating parties, and maintaining as we do that we did not break off the negotiations, we conceive we have a right to ask you as the other party; and we do ask you, my Lord, whether you consider what has taken place between us as final. Your reply will put beyond question upon whom rests the responsibility of an abrupt as well as abortive termination of this whole business, and it is but right that whatever responsibility may attach to it in the eyes of the public should lie upon the really responsible party.

It is our intention to publish this letter.

We have, &c.
(signed) *Patrick Lecky*, Archbishop, &c.
John Derry, Bishop, &c.

To the Right Hon. the Earl Mayo, M.P.,
Chief Secretary for Ireland.

— No. 2. —

Earl of Mayo to the Most Rev. Archbishop *Lecky*.

Most Rev. Sir,

Irish Office, 30 June 1868.

I am to acknowledge the receipt of your letter of the 16th instant, calling my attention to the answer recently given by me to Sir John Gray's question in the House of Commons, and that given by Lord Malmesbury in the House of Lords, in reference to the communications which have passed between us concerning a charter for a Roman Catholic university, and complaining that the negotiations on the subject were broken off by me in an abrupt and unexpected manner.

It becomes my duty to call your attention briefly to the events which have taken place with regard to the proposals made by the Government in this matter.

On the 12th March, I announced in the House of Commons, that it was the intention of Her Majesty's Government to propose that a charter should be given to a Roman Catholic University.

I said, that up to that time, we had entered into no negotiations or communications with anyone, but that keeping in view the principles we thought indispensable, namely, that there should be in the institution an influential lay element, and that the elective principle should be fully recognised, we were
prepared

prepared to listen respectfully and carefully to all suggestions that were made to us, and to endeavour to suit the new university to the requirements of those for whose benefit it was intended.

On the 14th March, therefore, I addressed to you a note referring to your letter to the Earl of Derby of the 23rd October 1867, in which you stated, that you had been deputed by the Roman Catholic archbishops and bishops of Ireland to enter into communication with Her Majesty's Government on the subject of a charter for the Roman Catholic university.

I said that I should be happy, on the part of the Government, to receive from you any communication which you might be pleased to make on the subject.

On the 19th March I received a letter, in which you put forward several objections to the proposed scheme, stating, at the same time, that you would do me the honour of waiting upon me during the ensuing week.

A lengthened interview took place on the 24th March at the Irish Office, in which you and your right reverend colleague repeated, to a great extent, the objections put forward in your letter of the 19th.

To these objections Lord Malmesbury and I listened with respectful attention; and, at the close of the interview, we requested you to place those opinions in writing at greater length, and in greater detail than you had done in your first letter.

A letter, dated the 31st March, was subsequently received, in which, with great clearness and frankness, you set forth the alterations which you recommended should be made in the framework of the new institution, as it was described in a memorandum which I had the honour of placing in your hands.

The alterations which you said that you considered necessary were principally based on the assumption that there was not sufficient scope given in the constitution of the university and its governing body for the exercise by the Roman Catholic prelates of their authority in matters appertaining to faith and morals, or over the books that were to be used by the students.

In order, therefore, fully to provide for the exercise of that episcopal control which you appear to deem essential, you said that it was not competent for laymen or even clergymen of the second order, however learned, to judge authoritatively of matters relating to faith and morality, and that the very least power that could be claimed for the bishops in the senate would be that of an absolute negative on the use of all books that might be deemed objectionable, and a power of veto on the first nomination of the professors of the university, as well as an authority for their dismissal.

You also made propositions with regard to the election of the chancellor and the members of the senate, which would practically have put an end to anything like a system of free election on the part of the general body of the university.

I apprised you in my letter of the 11th May, delayed, as I then informed you, by my unavoidable detention in Ireland, and my consequent inability to consult my colleagues, that these proposals could not be entertained; and on the 17th I received from you a note, which was but a simple acknowledgment of my letter.

As no intimation was afterwards given of your desire to continue the correspondence, and as no notice beyond formal acknowledgment was taken of my last letter, I could come to no other conclusion than that the communications were at an end.

On the 29th of May, therefore, in answer to a question from Mr. Murphy, I stated in the House of Commons that the correspondence which had been laid upon the Table of the House had shown that the conditions which Her Majesty's Government thought necessary to attach to the granting of a charter to a Roman Catholic University had been declined by the right reverend prelates who were deputed to act in the matter on the part of the Roman Catholic hierarchy of Ireland, and that therefore we had come to the conclusion that the matter should be considered entirely at an end. The answer given by the Earl of Malmesbury in the House of Lords on the same night, though somewhat different in words, was substantially to the same effect.

Again, on the 12th June, in reply to Sir John Gray, after referring to the dates of the communications which had taken place, I made a similar answer, and stated that it was not our intention to take any further steps in the matter.

It could not have been supposed that a correspondence conducted in such a manner, extending over so considerable a period of time, and terminating in the way it did, was intended by you to have been re-opened.

The questions, as to which differences arose, involved matters of the highest principle. Speaking on behalf of the Roman Catholic prelates of Ireland, you laid down in the clearest manner the maxims on the subject of university education which you considered necessary for the safety of the faith and morals of the youth of the country.

We could not have supposed that requirements sanctioned by such high authority, so repeatedly made and so clearly expressed, could have been put forward only to be withdrawn.

Under these circumstances, I can only repeat the answer I have already given in the House of Commons, that it is not the intention of Her Majesty's Government to take any further steps in the matter.

The Most Rev. Archbishop Leahy.

I have, &c.
(signed) *Mayo*.

ROMAN CATHOLIC UNIVERSITY
(IRELAND).

COPY of Further Correspondence relative to
the Proposed CHARTER to a Roman Catholic
University in Ireland.

(*Part of Mayo.*)

Ordered, by The House of Commons, to be Printed,
9 July 1831.

380 +

Under 1 oz.